

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii

November 17, 2006

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Subject: Request approval to enter into a 20 year lease through direct negotiations with Hui o Laka, a Hawaii eleemosynary corporation for the Civilian Conservation Corps camp and Kokee Museum site in Kokee State Park, Waimea, Kauai

Background

Hui o Laka was organized in 1952 and has been operating and maintaining the Kokee Museum since 1954 (see Exhibit "A"). They have not only been maintaining and operating the Museum but have been restoring and renovating portions of the Civilian Conservation Corps (CCC) camp, (see Exhibit "A1") that was constructed during the 1930's. Hui o Laka began restoring the numerous buildings in 1990 and using "no state funds with a cash investment to date of \$107,522", (see attached Hui o Laka Letter dated October 5, 2006) has 5 of the 11 buildings in various stages of being renovated.

In addition to the museum, their community activities and scheduled events and publications about the park, such as The Emalani Festival, The Banana Poka Roundup, guided hikes, and pocket guide entitled "Native Plants on the Nature Trail", contribute to State Parks goals of resource preservation, interpretive venues to assist visitors understanding of the natural, scenic and historic values of the park.

Hui o Laka has on staff 3 full time and 2 part time employees along with many volunteers from all over the island that throughout the year pitch in and help with service projects that benefit the park. Their annual operating budget for 2006 is \$345,000.

Recently, they contracted for and completed a strategic long term plan that delineates their vision, mission and goals to be achieved by Hui o Laka in the park. In order for them to execute their plans they should be recognized stakeholders in the park. This will be accomplished by the Board approving a 20 lease.

Item E-1

The area to be included under the lease is a portion of TMK (4) 1-4-001-013, to include the museum site and building, Exhibit "A", together with an area containing the 10 CCC camp structures shown on Exhibit "A1". These two areas

are not contiguous and a metes and bounds description of the areas will be completed at the direction of State Parks with any expense to be borne by Hui o Laka. There is no intent to subdivide the parcel.

The proposed lease area will not include the Hui o Laka recreation residence cabin that is currently the subject of GL-5126 that has as its leased premises an area of .72 acres at Puu Ka Pele and the Kokee Museum but does not include the CCC camp. Previously, in 1985 the Board gave permission for the Hui o Laka Executive Director to maintain their principal residence at the Puu Ka Pele cabin, whereas the other recreation residences leases do not allow full time residency. If this lease is approved by the Board, GL-5126 that expires December 31, 2006 will be unbundled and the Kokee recreation residence will go to a revocable permit with the other 96 recreation residences and the Kokee museum and the CCC camp will be covered by this proposed lease.

The authority under which the Board would be authorizing this 20 year lease is H.R.S. Chapter 171-43.1. It would be by direct negotiation with nominal rent of \$144.00 per year.

The character of use would be solely for the operation and maintenance of cultural and educational programs and displays for the general public. They would also make available to the public state recreational opportunities in the surrounding area. Commercial activity would be limited to the Kokee museum and conditioned upon any and all products and services approved in writing by the Parks Administrator.

Recommendation

That the Board:

Authorize the direct lease of the Kokee Museum and CCC camp, including the appurtenant ground area that will be surveyed subsequent to Board approval to Hui o Laka for a 20 year term subject to the forgoing terms and conditions:

1. Compliance with governmental requirements
2. Standard hold-harmless clause

3. All new construction and renovation will require the approval of the Chairperson.
4. The lessee shall not at any time during the lease term construct, place or remove from said premises any permanent structure or improvements of any kind and description whatsoever except with the prior approval of the Board and upon such conditions as the Board may approve.

Any permanent improvements constructed or erected by the lessee upon the demised premises shall become the property of the lessor upon expiration or termination of the lease.

5. The lessee shall not transfer, assign or sublet in whole or part, either voluntarily or by operation of law, and any transfer or assignment so made shall be null and void; provided that with the prior approval of the Board the assignment or transfer of this lease or portion thereof may be made to an eleemosynary corporate successor of the lessee.
6. This lease may be terminated at any time by either party at its sole discretion without cause upon 6 months notice.
7. The lessor does not warrant the condition or suitability of the demised premises for the use intended by the lessee and is being leased, as is where is with all faults.
8. The lessee shall provide sufficient liability and fire insurance with DLNR, Division of State Parks named as additional insured in amounts to be determined by the Chairperson.
9. The lessor shall be able to withdraw land and buildings from the lease with 6 months notice to lessee. The Kokee/Waimea State Park Master Plan allows for up to a 60 unit lodge to be built. If the lodge developer and Hui o Laka are in agreement and the Hui o Laka Kokee Museum is moved to the lodge complex, then the existing museum building and premises would revert back to the state and withdrawn from the lease.

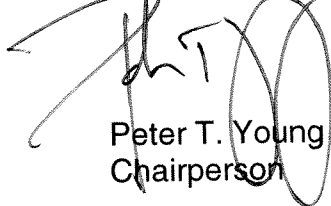
10. Such other terms and conditions as required by statute and as may be prescribed by the Chairperson.

Respectfully submitted,



Daniel S. Quinn,
Administrator, State Parks

APPROVED FOR SUBMITTAL:



Peter T. Young
Chairperson

KŌKŌ'E MUSEUM
(SCALE: 1/4"=2')

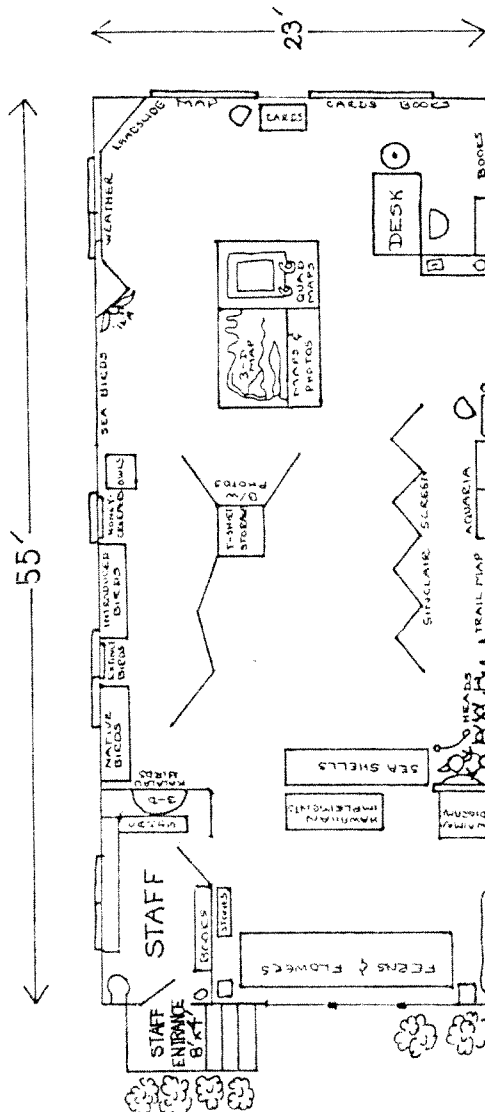


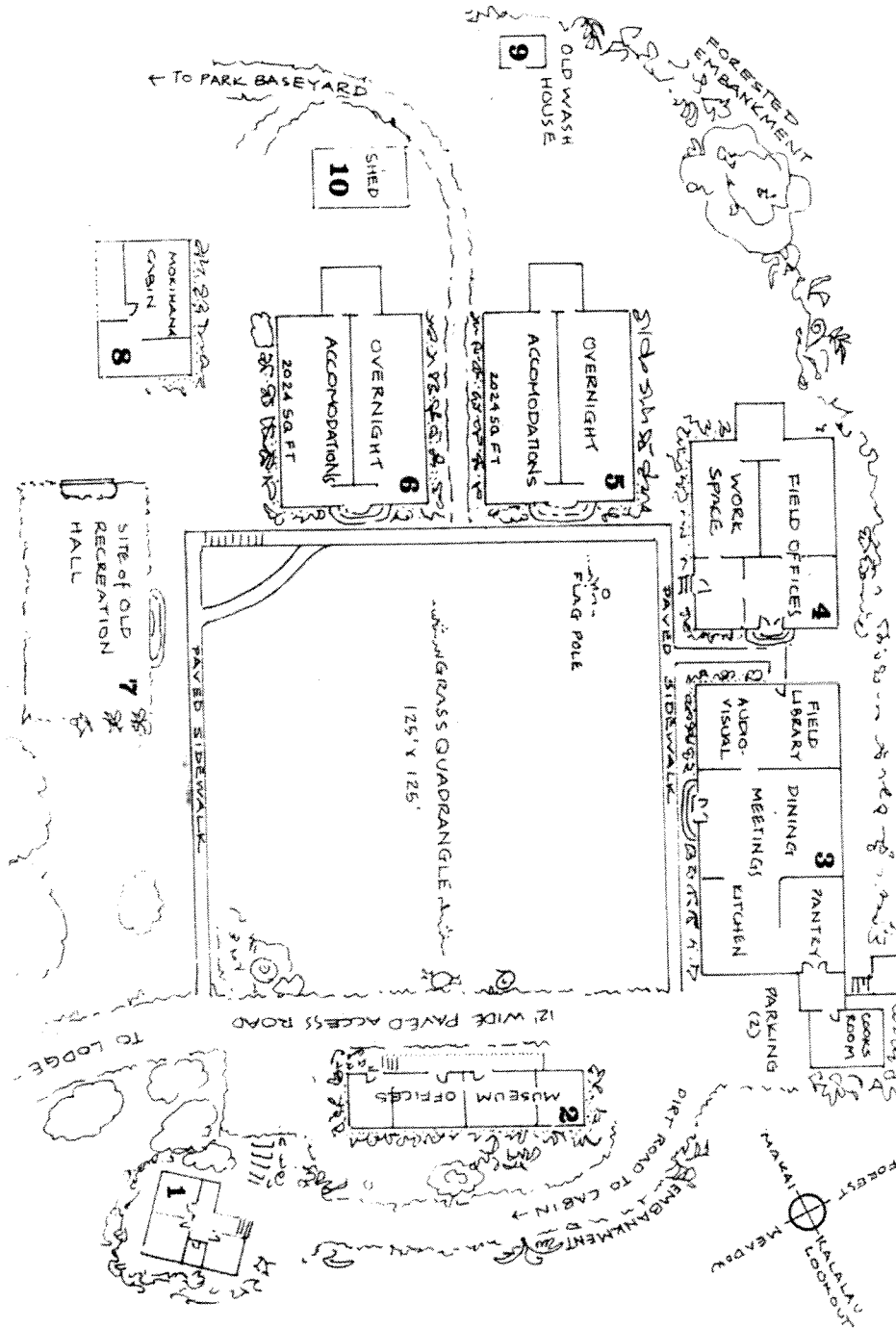
EXHIBIT 44 A 91

TO: PAVILION →

PAVED ROADWAY.

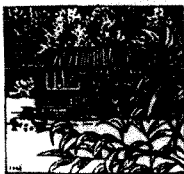
← TO KŌKE 'E LODGE.

The Old C.C.C. Camp at Koke'e State Park, Kauai
 Site of the Proposed
 Joseph M. Souza, Jr. Training Center & Field Station



Hui O Laka Lease - Exhibit "A"

EXHIBIT "A2"



Kōke'e Natural History Museum Hui o Laka

P.O. Box 100, KēKAHA, KAUA'I, HAWAII 96752
(808) 335-9975 • Fax (808) 335-6131 • www.kokee.org • Email: kokeemuseum@earthlink.net

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Executive Director
MARSHA ERICKSON

October 5, 2006

Dan Quinn, Administrator
DLNR-State Parks Division
Post Office Box 621
Honolulu, HI 96809

Aloha Dan,

I am writing to ask you and your staff's support and assistance as Hui o Laka seeks a lease for the historic CCC Camp in Kōke'e State Park.

As you know, Hui o Laka has been working on renovating the 11-structure complex since early 1990. Our research was central to the camp being placed on the Hawai'i State and National Historic Registers in 1996. Working in consort with DLNR-Historic Preservation Division and State Parks Division, Hui o Laka has been faithful to the spirit and letter of federal regulations governing renovation of historic sites as embodied in the Secretary of the Interior's Standards for Historic Buildings and Sites.

Using no State funds, and with a cash investment to date of \$107,522 and volunteer time investment valued at \$153,000, Hui o Laka has managed to completely renovate 5 of the Camp's once-abandoned buildings (See *Investment chart*). Several other buildings are close to completion; a chart of remaining renovations and preliminary estimates of their costs is attached.

An Environmental Assessment was prepared for the adaptive use of the historic site by Hui o Laka. All uses are in support of State Park's missions. Uses already include the administrative and program offices for Hui o Laka's year-round operation of Kōke'e Natural History Museum and its many interpretive programs, as well as overnight accommodations for park volunteers and researchers who are permitted to work in the parks and/or surrounding forest reserves.

It is Hui o Laka's additional intent to develop the site as an interpretive resource in itself, creating historic tours of this sturdy vestige of early conservation efforts in Kaua'i forests.

Please let me know if I can provide further information that will make it possible for Hui o Laka to secure a lease for operation and management of this historic complex, securing its history and its public service far into the future. Thank you so very for your help over the years - a lease at this time would validate and recognize the risks Hui o Laka has undertaken in consistent support of State Parks.

Me ke aloha,

Marsha Erickson
Executive Director

cc. Wayne Souza

SERVING KōKE'E AND WAIMEA CANYON STATE PARKS SINCE 1952